

IN RE: PETITION FOR RESIDENTIAL \* BEFORE THE  
ZONING VARIANCE \*  
W/S Park Heights Ave., 526 ft. \* ZONING COMMISSIONER  
N of Malisa Court \*  
11032 Park Heights Avenue \* OF BALTIMORE COUNTY  
3rd Election District \*  
3rd Councilmanic District \* Case No. 97-357-A  
Richard Scolio, et ux \*  
Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Richard Scolio and Janice M. Scolio, his wife, for that property known as 11032 Park Heights Avenue in the Weinstein Property subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 10 ft. in lieu of the required 50 ft. for a proposed addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date

By

4/1/97  
M. Good

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of April, 1997 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 10 ft. in lieu of the required 50 ft. for a proposed addition, in an R.C. 5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING  
Date 4/1/97  
By M. G. Cook



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

March 27, 1997

Mr. and Mrs. Richard Scolio  
11032 Park Heights Avenue  
Owings Mills, Maryland 21117

RE: Petition for Administrative Variance  
Case No. 97-357-A  
Property: 11032 Park Heights Avenue

Dear Mr. and Mrs. Scolio:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.





# Petition for Administrative Variance

97-357-A  
to the Zoning Commissioner of Baltimore County

for the property located at

11032 Park Hts Ave.

which is presently zoned

RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached, hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A09, 3.B.3; B12R, TO PERMIT

A SIDEYARD SETBACK OF 10' IN LIEU OF THE REQUIRED 50' FOR A PROPOSED ADDITION.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) To STRICTLY conform with requirement that an addition be placed no closer to the property line than the existing home would prevent the most natural extension of the home. Since the existing building was placed before current zoning was effective, we would hope this variance would allow us to improve our property and allow the existing home to better reflect the building standards of most of the property owners in our district. The placement of the addition should not prove a detriment, since the majority of the additions will replace a covered carport.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Janice M. Scolio  
(Type or Print Name)

Janice M. Scolio  
Signature

Richard Scolio  
(Type or Print Name)

Richard Scolio  
Signature

11032 Park Hts Ave 356-3255  
Address Phone No.

Quinings Mills, Md. 21117  
City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

ESTIMATED POSTING DATE: \_\_\_\_\_



Printed with Soybean Ink  
on Recycled Paper

ITEM #: \_\_\_\_\_

# Affidavit in support of 97-357-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 11032 Park Heights Ave  
Address  
Owings Mills, Md. 21117  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

At present, the house has only 2 bedrooms, both on the second floor. A 1st floor bedroom would accommodate the needs of the householder with a disability. It would also extend the time we would be able to use the house as we age. The house has no dining room. The addition would allow us to turn the present living room into a dining room.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard Scolio  
(signature)  
Richard Scolio  
(type or print name)



Janice M. Scolio  
(signature)  
Janice M. Scolio  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of February, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RICHARD SCOLIO AND JANICE M. SCOLIO

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

2/25/97  
date

Susan M. Cass  
NOTARY PUBLIC

My Commission Expires:

SUSAN M. CASS  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires October 14, 1998

Zoning Description for 11032 PARK HTS AVE  
97-357-A

Beginning at a point on THE WEST side of PARK HTS AVE (STATE RT 129) which is 24' wide, at THE distance of 526' north of THE NEAREST IMPROVED INTERSECTION STREET, MELISA CT, which is 20' wide.

BEING Lot #1 in THE WEINSTEIN Property a RESUBDIVISION OF PART OF LOTS 1 AND 2 ALL OF Lot 3 PIPER TRACT ~ CHK 13/75. AS RECORDED in BALTIMORE County PLAT BOOK #98, folio #90 CONTAINING 44,300 sq ft.

ALSO KNOWN AS 11032 PARK HTS AVE, AND LOCATED in THE 3rd ELECTION District, 3rd COUNCILMANIC District.

LTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 13,632

DATE 2-28-77 ACCOUNT 6001 (010)

AMOUNT \$ 50.00

RECEIVED FROM: Robert Scott - 11032 Bond Hill Ave.

FOR: As. Var (010)

0367160042871600  
124 10103416002-225-77

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Jim

# CERTIFICATE OF POSTING

ADMIN. VAR.

RE: Case No.: 97-357-A

Petitioner/Developer: RICH SCOLIO, ETAL

Date of Hearing/Closing: 3/24/97

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at #11032 PARK HEIGHTS AVE.

The sign(s) were posted on 2/27/97  
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/28/97  
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

Pager (410) 646-8354

(Telephone Number)

ADMINISTRATIVE  
**VARIANCE**  
CASE # 97-357-A

TO PERMIT A SIDEYARD SETBACK OF  
TEN (10) FEET IN LIEU OF THE REQUIRED  
FIFTY (50) FEET FOR A PROPOSED ADDITION  
#11032 PARK HEIGHTS AVENUE

**PUBLIC HEARING ?**  
PURSUANT TO SECTION 20-127(b)(1), BALTIMORE COUNTY CODE  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED IT  
IS DONE IN THE ZONING OFFICE BEFORE  
5:00 p.m. ON MONDAY MARCH 24, 1997  
ADDITIONAL INFORMATION IS AVAILABLE AT  
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT  
111 W. CHESAPEAKE AVE. TEL. 887-3301  
BALTIMORE, MD. 21204

97-357-A  
#11032 Park Hgts. Ave.

MICROFILMED





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 357

Petitioner: Richard Scolio

Location: 11032 PARK HTS AVE OWINGS MILLS, MD 21117

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Richard Scolio

ADDRESS: 11032 PARK HTS AVE

OWINGS MILLS MD 21117

PHONE NUMBER: 410-356-3255

AJ:ggs

(Revised 09/24/96)

NOT RECORDED

# Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

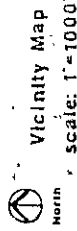
PROPERTY ADDRESS: \_\_\_\_\_

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

[ plat book # \_\_\_\_\_, folio # \_\_\_\_\_, lot # \_\_\_\_\_, section # \_\_\_\_\_ ]

OWNER: \_\_\_\_\_



Vicinity Map  
scale: 1"=1000'

## LOCATION INFORMATION

Election District: \_\_\_\_\_  
Councilmanic District: \_\_\_\_\_

1"=200' scale map: \_\_\_\_\_

Zoning: \_\_\_\_\_

Lot size: \_\_\_\_\_

acreage \_\_\_\_\_

square feet \_\_\_\_\_

public \_\_\_\_\_ private \_\_\_\_\_

SEWER: ☐ ☐

WATER: ☐ ☐

yes ☐ no ☐

Chesapeake Bay Critical Area: \_\_\_\_\_

Prior Zoning Hearings: \_\_\_\_\_



North

date: \_\_\_\_\_

prepared by: \_\_\_\_\_

Scale of Drawing: 1"= \_\_\_\_\_

## Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE #: \_\_\_\_\_

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3-9-97

Format for Sign Printing, Black Letters on a White Background:

## ZONING NOTICE

### ADMINISTRATIVE VARIANCE

Case No.: 97-357-A

*To permit a sideyard setback of 10' in  
lieu of the required 50' for a proposed  
addition.*

## PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING  
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS  
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

3-24-97

**ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,  
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391**

**DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW**

**HANDICAPPED ACCESSIBLE**



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

March 7, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-357-A  
11032 Park Heights Avenue  
W/S Park Heights Avenue, 526' N of Melisa Court  
3rd Election District - 3rd Councilmanic  
Legal Owner(s): Janice M. Scolio and Richard Scolio  
Post by Date: 3/9/97  
Closing Date: 3/24/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon  
Director

cc: Richard and Janice Scolio



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: March 10, 1997

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 339, 357, 360, 361, 364, 365, 366, and 367

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Carol L. Kerns*

PK/JL

Joe Murray

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: March 17, 1997

FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for March 17, 1997  
Item Nos 357, 359, and 361

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

March 12, 1997

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW  
Location: DISTRIBUTION MEETING of March 10, 1997.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

355, 356, 357, 358, 359, 360, 361, 362, 364, 365, 366, & 367



# PETITION PROBLEMS

## #353 --- JRF

1. Sign form is incomplete.

## #354 --- JRF

1. Need telephone number for legal owners.
2. Need title of person signing for contract purchaser.
3. Sign form is incomplete.

## #355 --- RT

1. No section number or wording on the petition form.
2. Notary section is incomplete.

## #356 --- JCM

1. Sign form is incomplete.

## #357 --- JCM

1. No review information on bottom of petition form.

## #358 --- RT

1. No review information on bottom of petition form.
2. Sign form is incomplete.



Attach original petition

Due Date March 13, 1997

To: Arnold L. Jablon

From: Robert A. Wirth *RAW/yf*

Subject: Zoning Item #357

11032 Park Hts. Ave

Zoning Advisory Committee Meeting of March 10th

☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

☐ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

☒ Ground Water Management: Addition must be kept 30' from existing well.

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1062

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 11032 PARK HTS AVE

Subdivision name: WEINSTEIN PROPERTY

[plat book # 48, folio # 90, lot # 1, section # 1]

OWNER: RICHARD AND JANICE SCOLIO

97-357-A

MARC GOLDSTEIN & LINDA JACOBS

LOT #2

LOT #1

LOT #1

LOT #1

LOT #1

LOT #1

LOT #1

LOT #1

LOT #1

LOT #1

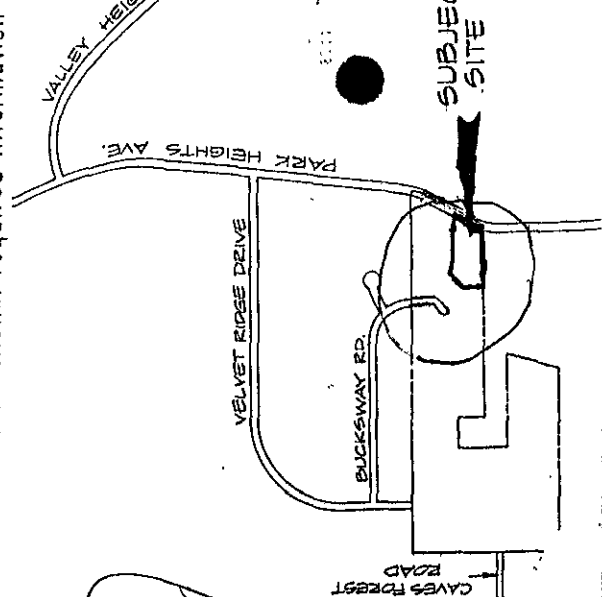
LOT #1

LOT #1

LOT #1

LOT #1

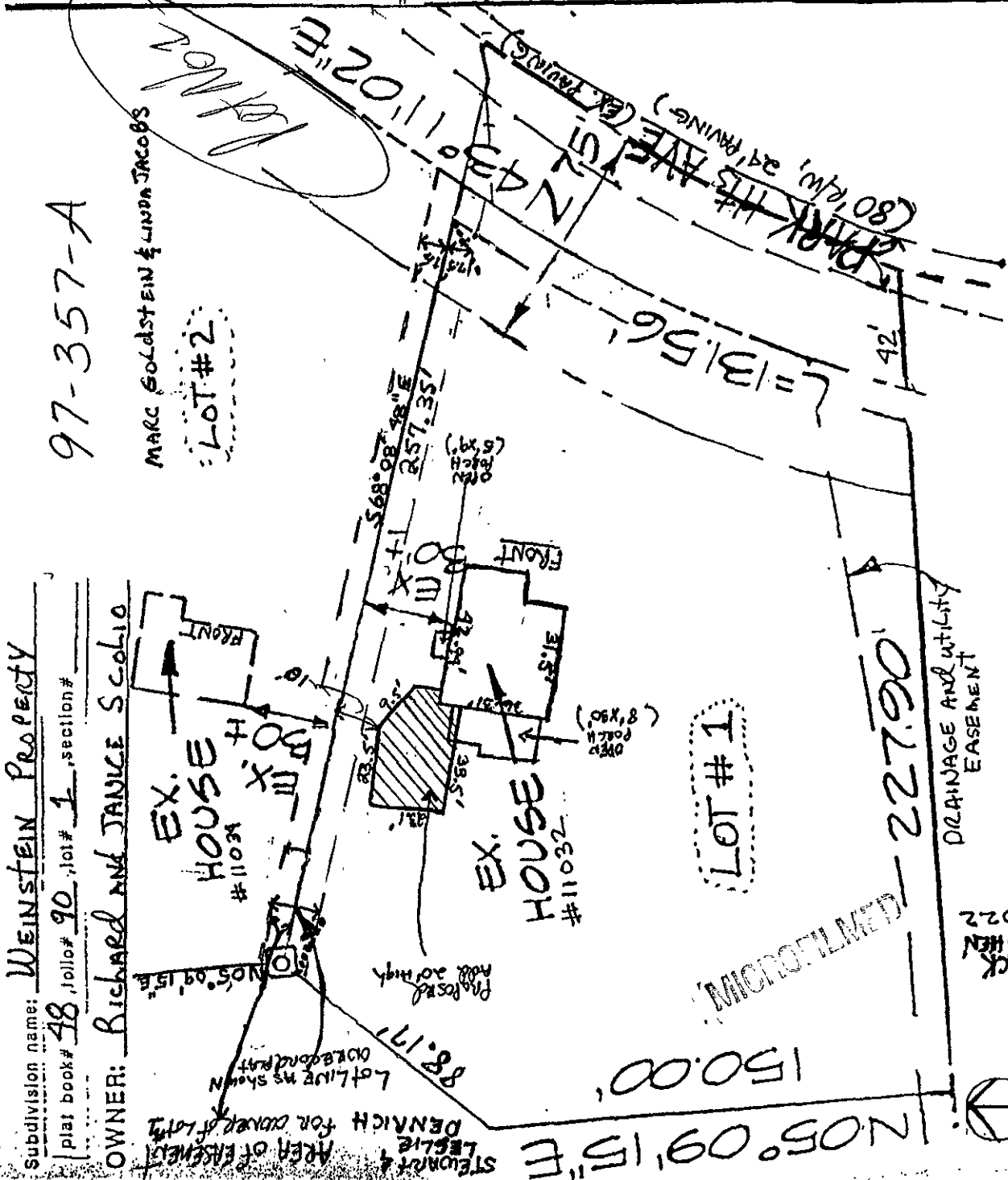
LOT #1



LOCATION INFORMATION

Election District: 3  
Councilmanic District: 3  
1"=200' scale map: NW 12-F  
Zoning: RC 5  
Lot size: 1.017 acreage  
44,300 square feet  
SEWER: ☐ WATER: ☐  
Chesapeake Bay Critical Area: ☐  
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!  
reviewed by: ITEM #: CASE #:  
prepared by: RRS



North  
date: 24 FEB 1997  
Scale of Drawing: 1"= 50'

Looking EAST



97-357-A

Existing CAR PORT to be torn down

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Looking EAST @ BACK of house (PORCH)



Existing Car Port Looking South West



97-357-A

Location of <sup>(FUTURE)</sup> GARAGE Looking WEST



Looking South at Porch

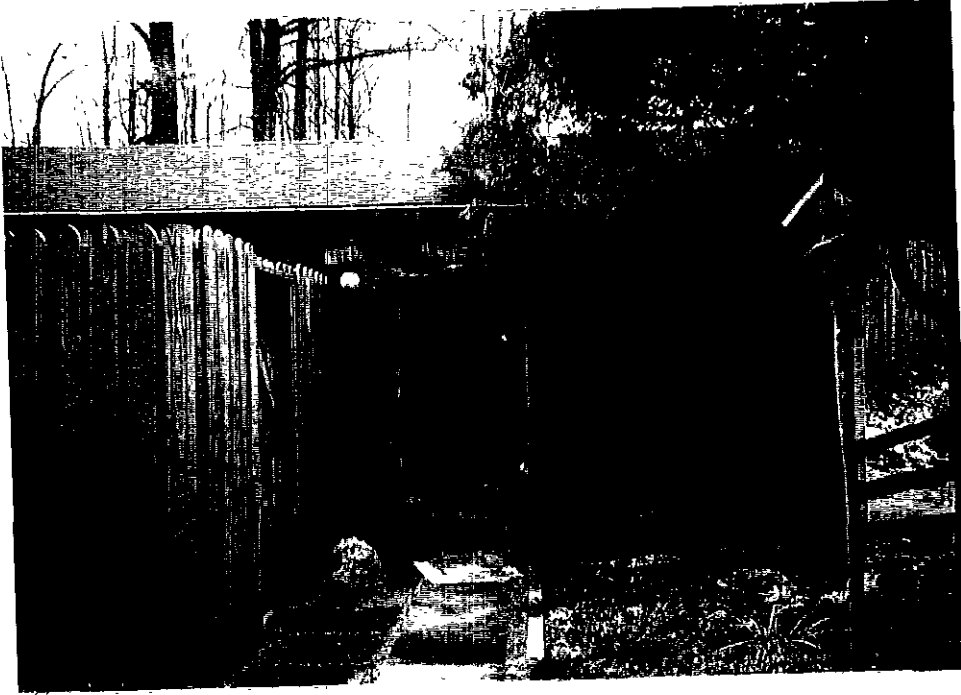


97-357-A



→ Existing  
can be

Looking WEST at CARPORT to BE torn down  
for add



97-357-A



97-357-B

Looking North at  
Existing CAR Port to be  
Torn down AND replaced  
with NEW Add.



97-357-1





97-357-A

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION

ECCLESTON P.O.

CHATTOLANEE

CHATTOLANEE

CHATTOLANEE

CHATTOLANEE

SHEET

NW

12-F

12-F

12-F

MICROFILMED



97-357-A

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

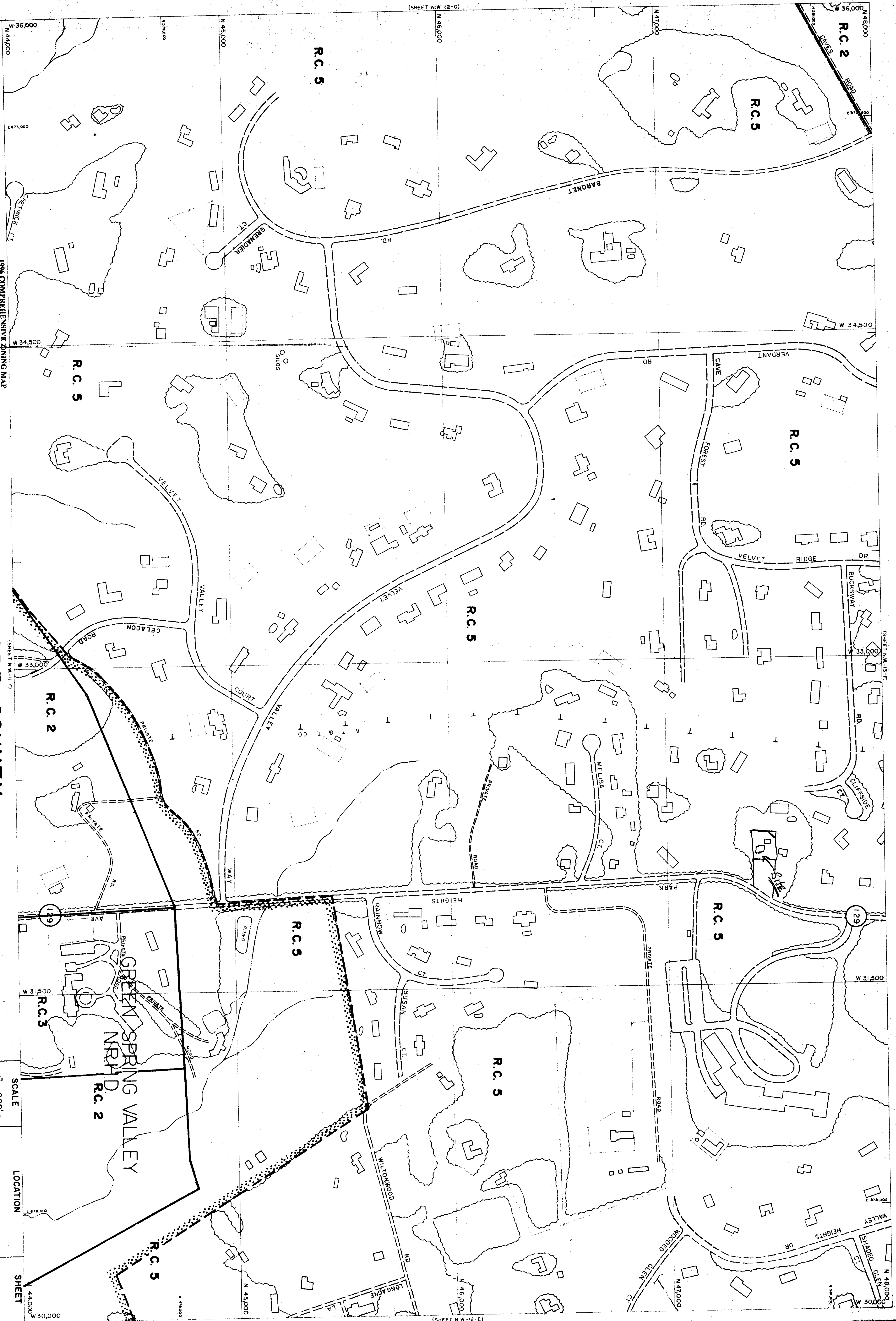
T-SE

1996 COMPREHENSIVE ZONING MAP  
ADOPTED BY  
THE BALTIMORE COUNTY COUNCIL  
OCTOBER 8, 1996  
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

*Kevin Kennedy*  
Chairman, County Council

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

SCALE	1" = 200' ±	LOCATION	ECCLESTON P.O.	SHEET	N. W.
DATE OF PHOTOGRAPHY	JANUARY 1986		CHATTOLANEE	12-F	



(SHEET N.W.-12-E)